

IC 20-12-19.7

Chapter 19.7. Tuition Exemption for Children and Spouses of National Guard Members

IC 20-12-19.7-1

"State educational institution"

Sec. 1. As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

As added by P.L.157-2005, SEC.1.

IC 20-12-19.7-2

Tuition exemption

Sec. 2. (a) An individual:

(1) whose father, mother, or spouse:

(A) was a member of the Indiana National Guard; and

(B) suffered a service connected death while serving on state active duty (as described in IC 10-16-7-7);

(2) who is eligible to pay the resident tuition rate (as determined by the institution) at the state educational institution in which the individual is enrolled or will enroll; and

(3) who possesses the requisite academic qualifications;

is exempt from the payment of tuition and mandatory fees for instruction at the state educational institution in which the individual is enrolled or will enroll.

(b) An individual may receive the tuition exemption described in subsection (a) for all semester credit hours in which the individual enrolls up to a maximum of one hundred twenty-four (124) semester credit hours.

(c) An individual qualifying for or receiving the tuition exemption described in subsection (a) is entitled to enter, remain, and receive instruction at a state educational institution under the same conditions, qualifications, and regulations that apply to:

(1) applicants for admission to; or

(2) students enrolled in;

the state educational institution who do not qualify for or receive the tuition exemption.

(d) For purposes of this section, the commission for higher education established by IC 20-12-0.5-2 shall define the mandatory fees in consultation with the state student assistance commission established by IC 20-12-21-4.

As added by P.L.157-2005, SEC.1.

IC 20-12-19.7-3

Deduction of certain financial aid from exemption amount

Sec. 3. If an individual who:

(1) qualifies for or is receiving the tuition exemption under section 2 of this chapter; and

(2) receives other financial assistance specifically designated for tuition and mandatory fees at the state educational institution in which the individual is enrolled or will enroll;

the state educational institution shall deduct the amount of the financial assistance specifically designated for tuition and mandatory fees from the amount of the tuition exemption under section 2 of this chapter.

As added by P.L.157-2005, SEC.1.

IC 20-12-19.7-4

Credit for cash scholarships

Sec. 4. If an individual who:

- (1) qualifies for or is receiving the tuition exemption under section 2 of this chapter; and
- (2) earns or is awarded a cash scholarship from any source that is paid or payable to the state education institution in which the individual is enrolled or will enroll;

the state educational institution shall credit the amount of the cash scholarship to the individual for the payment of incidental expenses incurred by the individual in attending the state educational institution, with the balance, if any, of the award, if the terms of the scholarship permit, paid to the individual.

As added by P.L.157-2005, SEC.1.

IC 20-12-19.7-5

Determination of eligibility

Sec. 5. (a) The determination as to whether an individual is eligible for the tuition exemption authorized by this chapter is vested exclusively with the military department established by IC 10-16-2-1.

(b) An applicant for the tuition exemption shall make a written request to the adjutant general for a determination of the individual's eligibility.

(c) In response to each request described in subsection (b), the adjutant general shall make a written determination of the applicant's eligibility.

(d) An applicant may appeal an adverse determination in writing to the military department not more than fifteen (15) business days after the date the applicant receives the determination under subsection (c).

(e) The military department shall issue a final order not more than fifteen (15) business days after the department receives a written appeal under subsection (d).

As added by P.L.157-2005, SEC.1.

IC 20-12-19.7-6

False or misleading application; Class A misdemeanor

Sec. 6. A person who knowingly or intentionally:

- (1) submits a false or misleading application or another document; or
- (2) makes a false or misleading statement;

to obtain a benefit under this chapter commits a Class A misdemeanor.

As added by P.L.157-2005, SEC.1.

